IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

MACA.No. 934 of 2007()

OPMV.1712/2003 of PRL.MOTOR ACCIDENT CLAIMS TRIBUNAL, KOZHIKODE
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APPELLANTS/PETITIONER
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1. ABDURAHIMAN HAJI, S/O ABBAS HAJI,
   AGED 49 YEARS, RESIDING AT ARUMADY HOUSE,
   ETTIKULAM POST, RAMANTHALLY-VIA, KANNUR.

2. KUNJALEEMA, W/O ABDURAHIMAN HAJI,
   AGED 43 YEARS, -DO-

BY ADV. SRI.AVM.SALAHUDIN

RESPONDENTS: RESPONDENTS
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1. NARAYANA RAI, AGE NOT KNOWN,
   S/O AITHAPPA RAI, RESIDING AT PERIA HOSAMANE
   COMPOUND, P.O.KANNU, PADIL, MANGALORE,
   KARNATAKA-575007.

2. NATIONAL INSURANCE COMPANY LIMITED,
   RASIK CHAMBERA, OPP. CENTRAL MARKET,
   MANGALORE.

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 18/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.A.C.A.No.934 OF 2007

Dated 18th June, 2007

JUDGMENT

Koshy,J.

A boy aged 15 died in a motor accident. His father was aged 46 at the time of the accident and mother was aged 40. Tribunal calculated compensation taking 15 as the multiplier. Since the deceased was aged only 15, the claim that he was working and earning Rs.6,000/= per month was not accepted by the Tribunal correctly and notional income of Rs.15,000/= as mentioned under section 163A of the Motor Vehicles Act was taken and calculated compensation. Total amount awarded was Rs.1,73,000/=. Considering the age of the mother as well as age of the deceased, we are of the view that just and reasonable compensation was awarded and no interference is required.

The appeal is dismissed.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

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